

REMARKS

Applicants are amending their claims in order to facilitate proceedings in connection with the above-identified application, so as to achieve earliest possible issuance of a U.S. patent based thereon. Specifically, Applicants are incorporating the subject matter of claims 35 and 36 respectively into claims 24 and 30. In view thereof, Applicants are canceling claims 35 and 36 without prejudice or disclaimer.

Applicants are adding new independent claims 53 and 54 to the application, which set forth the subject matter of claims 37 and 38, respectively, in independent form. In light of new claims 53 and 54, Applicants are canceling claims 37 and 38 without prejudice or disclaimer.

In addition to new claims 53 and 54, Applicants are adding new claims 39-52 to the application. Claim 39 recites structure including the extruded frame member according to claim 24 and the another extruded frame member (the another extruded frame member also being recited in claim 24). Claim 40, dependent on claim 39, recites that the extruded frame member is abutted to the another extruded frame member. Claims 41 and 42, dependent respectively on claims 40 and 41, respectively recites that the two frame members have been extruded respectively in first and second directions, and that in the recited structure having the extruded frame member and the another extruded frame member abutting each other, the first direction is perpendicular to the second direction; and recites that the structure has had friction stir welding carried out on the abutting portions of the frame member, so as to form a friction stir weld between the abutting portions. Claim 43 recites subject matter set forth in claim 17, but is dependent on claim 42. Claims 44 and 45, dependent respectively on claims 43 and 44, respectively recites that the

friction stir welding has been carried out on the extended part, a remaining part of the extruded frame member (other than the extended part) and the another extruded frame member; and recites that the remaining part of the extruded frame member (upon which friction stir welding has been carried out) includes the thickened part. Claims 46 and 47, each dependent on claim 44, respectively recites that this remaining part of the extruded frame member (upon which friction stir welding has been carried out) includes the at least one end portion; and recites that the extended part is positioned outside of an outer surface of the extruded frame member. Claim 48, dependent on claim 44, recites that the extended part is positioned such that a rotary tool for conducting the friction stir welding enters the extended part, before entering the another extruded frame member. Claims 49-52 respectively recite subject matter expressly set forth in claims 42, 44, 47, 48, but are dependent respectively on claims 40, 42, 50 and 50.

In connection with the newly added claims, note, for example, Figs. 17, 18 and 20 of Applicants' original disclosure, together with, for example, pages 22-26 of Applicants' specification.

The Examiner is thanked for the indication in Item 6 on page 6 of the Office Action mailed June 16, 2004, that claims 35-38 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. The subject matter of claims 35 and 36 have been incorporated respectively into claims 24 and 30. Accordingly, it is respectfully submitted that claims 24 and 30, as well as the previously considered claims dependent thereon, should be allowed.

Moreover, since claims 53 and 54 set forth the subject matter of claims 37

and 38 in independent form, it is respectfully submitted that claims 53 and 54 should also be allowed.

Furthermore, it is to be noted that claims 39-52 incorporate the extruded frame member of claim 24, which, as indicated previously, should be allowed. Since the extruded frame member recited in claim 24 patentably distinguishes over the teachings of the prior art, it is respectfully submitted that the structure claims in claims 49-52, including such extruded frame member, should also be allowed.

Again noting the structure as in claims 39-52, since each of these claims include the extruded frame member of claim 24, it is respectfully submitted that such claims should be considered and allowed in the present application.

The prior art rejections set forth in Items 3 and 5 on pages 2-5 of the Office Action mailed June 16, 2004, are noted. In view of present amendments to the claims, it is respectfully submitted that these prior art rejections are clearly moot, and further discussion thereof is unnecessary. Moreover, contentions by the Examiner in Item 7 on pages 6 and 7 of the Office Action mailed June 16, 2004, are noted, but are moot in light of present amendments to the claims.

In view of the foregoing, reconsideration and allowance of all claims remaining in the application are respectfully requested.

To the extent necessary, Applicants petition for an extension of time under 37 CFR § 1.136. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to the Deposit Account No. 01-2135

(Case No. 503.35933VV5) and please credit any excess fees to such Deposit  
Account.

Respectfully submitted,

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A handwritten signature in black ink, appearing to read "William I. Solomon", with a long horizontal flourish extending to the right.

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